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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Letter dated 4 April 1996 from the Permanent Representative of Azerbaijan to the United Nations Office at Geneva addressed to the secretariat of the fifty-second session of the Commission on Human Rights

I have the honour to transmit* to you material of the Ministry for Foreign Affairs of the Azerbaijani Republic, "The facts of grave violations of human rights committed by armed forces of Armenia in the process of its aggression against the Azerbaijani Republic".

I would like to ask you kindly to disseminate this material as an official document of the fifty-second session of the Commission on Human rights.

(Signed): S. EIVAZOVA
Permanent Representative

* The annex is issued in English for all language versions other than the original Russian version.

Annex

THE FACTS ON GRAVE VIOLATIONS OF HUMAN RIGHTS COMMITTED BY ARMED FORCES OF ARMENIA IN THE PROCESS OF ITS AGGRESSION AGAINST THE AZERBAIJANI REPUBLIC

The armed aggression by the Republic of Armenia against the Azerbaijani Republic pursuant to its policy of violent acquisition of territory and its plans to establish a "Greater Armenia" has resulted in gross and flagrant violations of human rights which fall within the category of crimes against humanity.

As a result of the ethnic cleansing of Armenia and the occupied parts of Azerbaijan of their Azerbaijani inhabitants, over a million people have been forced hurriedly to abandon their homes in order to escape violence at the hands of the aggressor. Extrajudicial executions and mass shootings of civilians have taken place during the mass expulsion of the peaceable Azerbaijani population from their historic homelands in Armenia and the violent removal of Azerbaijanis from the occupied parts of Azerbaijan by the armed forces of the Republic of Armenia, backed by trained mercenaries and Armenian terrorist units; hostages have been seized and subjected to inhuman treatment, beatings, torture and other flagrant violations of human rights.

Ethnic cleansing of Armenian territory of its Azerbaijani inhabitants

The widespread settlement of Trans-Caucasia by Armenians began after tsarist Russia's military conquest of the Caucasus. Taking advantage of the changed demographic situation, the Armenians, under the tutelage of the rulers of tsarist Russia and, later, the communist leaders of the Soviet Union, encroached on the native Azerbaijani population in various parts of the region.

It is a matter of historical fact that in 1828-1829 alone, 130,000 Armenians were resettled out of Middle Eastern countries into the area now forming the Republic of Armenia; another 600,000 were resettled later. At the same time, a total of 1.5 million Azerbaijanis were driven from the same lands.

By 1928, the number of Azerbaijanis in what is now Armenia stood at 575,000 - more than a third of all the inhabitants of the area. As a result of the Armenian Government's deliberate policy of expelling the Azerbaijani population, there remains today in Armenia not a single Azerbaijani out of that half-million-strong community.

Between December 1917 and the end of June 1918, Armenian army units plundered and burnt 200 Azerbaijani villages in Erevan province. The surviving inhabitants fled to the mountains where they died of cold and starvation. Over that period, Armenian troops occupied the whole of Surmalin district and parts of Erevan, Echmiadzin and Sharur districts, which they purged of Azerbaijanis by force of arms.

Throughout Armenia between 1918 and 1920, Azerbaijanis were subjected to violence of unimaginable savagery. Sixty Azerbaijani villages were destroyed and all their male inhabitants killed in the districts of Igdir and Echmiadzin; in Geichin province, 22 villages were destroyed and 60,000 inhabitants killed; in Yeni Bayazid, 84 villages and 15,000 homes were destroyed. Over the summer and autumn of 1918, 115 Azerbaijani villages and hamlets in the district of Zangezur were destroyed; 7,729 Azerbaijanis were brutally murdered - 3,257 men, 2,276 women and 2,196 children.

Forced deportations and mass killings of the peaceable Azerbaijani population continued into 1920. The remnants of the Azerbaijani population in Erevan province and Zangezur and Echmiadzin districts were driven out or annihilated, and their villages ploughed into the ground.

Research has shown that around 2 million Azerbaijanis and members of other ethnic groups were killed, wounded or forcibly expelled over this period.

One of the leading figures in the Kremlin, A. Mikoyan, played a major role in the execution of the Armenian nationalists' plans for the ethnic cleansing of Armenia. Making use of his influence over Stalin, he secured the signature of the "little father of the peoples" on decrees by the Council of Ministers of the USSR No. 4083 of 23 December 1947, "Resettlement of collective farmers and other Azerbaijani inhabitants from the Armenian SSR to the Kur-Arax Depression in the Azerbaijani SSR", and No. 754 of 10 March 1948, "Action to resettle collective farmers and other Azerbaijani inhabitants from the Armenian SSR to the Kur-Arax Depression in the Azerbaijani SSR". Under

these decrees, more than 100,000 Azerbaijanis were forcibly resettled from their historical homelands - the mountainous regions of Armenia - to the then waterless steppes of Mugan and the Mil plateau. Many of them could not withstand the ordeal and perished.

The forcing of the Azerbaijanis out of Armenia was accompanied by flagrant discrimination in breach of their constitutional rights and a refusal to cater to their national and cultural interests. Hundreds of thousands of the Azerbaijanis who remained in Armenia until 1988, surviving as compact groups, displayed none of the hallmarks even of national cultural autonomy. Attempts to so much as mention this were promptly, roughly and savagely suppressed. In essence, access for Azerbaijanis in Armenia to employment in State entities was closed off.

In the winter of 1988, a fresh bout of ethnic cleansing began as the culmination of a deliberate policy to destroy all trace of the very existence of Azerbaijanis in Armenia. Under instructions from, and with the blessing of, the Armenian authorities, the remaining 40,897 Azerbaijani families (185,519 individuals) were forcibly deported from their historical homelands within the present-day Armenian State, and left without homes or belongings.

The mass expulsion was accompanied by killings and maimings. In the space of just 3 days, from 27 to 29 November 1988, pogroms in the Armenian SSR towns of Gugark, Spitak and Stepanavan killed 33 Azerbaijanis.

In all, according to figures from the State Prosecutor's Office of the Azerbaijani Republic, 216 Azerbaijanis died during the ethnic cleansing on Armenian territory in 1988-1989; 49 froze to death, seeking safety from reprisals in the mountains; 41 died of savage beatings; 35 were killed after torture; 115 were burnt alive; 16 were shot; 10, unable to endure the humiliation, died of heart attacks; 2 were killed right in hospital by their Armenian doctors; 3 drowned; 1 was hanged; 1, not wishing to die an agonizing death, took his own life; 1 was electrocuted; 2 were beheaded; 29 were deliberately run over; 3 died in hospital because they were not given medical attention; and a further 8 were abducted and vanished without trace.

The majority of the dead were children, women and elderly people. They included 5 infants and 18 children of various ages. Seven-year-old Zokhra Nabieva was burnt alive. Three-year-old Rakhman Mamedov was not given the doctor's attention he needed, and subsequently died. Seven children froze

to death, two died after savage beatings, two were shot. Elman Aliev, three years old, suffered a heart attack. Six were unable to withstand brutal torture and died; three were run over.

Fifty-seven Azerbaijani women came to a tragic end on Armenian soil. Seven were beaten to death, five froze, four died under torture, three of heart attacks, two under the wheels of cars; one was decapitated, one was drowned, one burnt, two died of gunshot wounds for which they did not receive the necessary medical attention, and one was killed by doctors in hospital. The remainder disappeared without trace and are probably dead, given that there has been no news of them for eight years now.

Sixty elderly Azerbaijanis (over 60) also died during their expulsion from Armenia, among them 20 women. In most cases their deaths resulted from torture, bullet wounds, heart attacks, beatings, and frostbite. Gyulsum Aliev, aged 76, Khanum Iskenderov, aged 73, Mekhrali Aliev, aged 68, Garib Bairamov, aged 67 and Leila Huseinova, aged 63, were burnt. A doctor killed Hasan Ellazov, aged 68, in hospital. The most widespread atrocities occurred in the Gukar area where 22 Azerbaijanis lost their lives, 13 of them being burnt to death. Crimes against the Azerbaijani population were also committed in the Kalinin, Goris, Stepanavan, Vardenis, Masis, Spitak, Ararat, Kirovakan, Ijevan, Krasnoselsk, Ekhegnadzor, Amasia, Kafan, Abovyan, Sevan and Noyemberian districts of Armenia.

Virtually all the attacks on Azerbaijani settlements had the blessing of the official Armenian authorities and were commanded by local leaders and responsible figures or by members of the local law-enforcement bodies.

During the forcible expulsion of the Azerbaijanis, hundreds of historical relics testifying to the fact that Azerbaijanis had for centuries belonged on the land in what is today Armenia were either destroyed or altered to look Armenian. Islamic places of worship and the graves in Azerbaijani cemeteries were defiled; mosques and tombs were damaged or broken up for building materials.

To erase from history the fact that Azerbaijanis had lived in Armenia, the names of some 2,000 towns and villages that formerly bore Azerbaijani names have been changed; 465 villages were renamed between 1935 and 1973, and 97 in April 1991.

The concluding, tragic chord had been played in a meticulously planned campaign of physical extermination of the Azerbaijanis, once the most populous of the national minorities in the community of the Republic of Armenia.

THE FACTS ON GROSS VIOLATIONS OF HUMAN RIGHTS IN THE PART OF THE AZERBAIJANI REPUBLIC OCCUPIED BY THE ARMED FORCES OF THE REPUBLIC OF ARMENIA

Arbitrary and extrajudicial executions and mass shootings

Khojaly

One of the most monstrous crimes against the Azerbaijani people was the brutal annihilation of hundreds of blameless inhabitants of the town of Khojaly, in the Nagorny Karabakh region of the Azerbaijani Republic, which was taken by Armenian troops on the night of 25-26 February 1992. The Armenian armed forces and mercenary units spared virtually none of those who had been unable to flee Khojaly and the surrounding area. In the words of the journalist, Chingiz Mustafaev, "... among the dead were dozens of children between 2 and 15 years old. The distribution of the bodies indicated that people had been killed cold-bloodedly and calculatedly - some had been taken aside and shot singly; many had been killed as whole families at once. Several corpses displayed multiple wounds, one of which was invariably in the head, suggesting that the wounded had been finished off. Some dead children were found with severed ears, the skin had been cut from the left side of an elderly woman's face, and men had been scalped".

An inhabitant of Khojaly, Djanan Orudjev, also provided information on the many victims, chiefly women and children. His 16-year-old son was shot, and his 23-year-old daughter with her twin children and another, 18-year-old daughter who was pregnant, were taken hostage. Saria Talybova, who witnessed the bloody tragedy as it unfolded, watched as four Meskhet Turks, refugees from Central Asia, and three Azerbaijanis were beheaded, and children were tortured and killed before their parents' eyes; two Azerbaijanis in national army uniform had their eyes put out with screwdrivers.

The organized nature of the extermination of the people of Khojaly was further evident from the fact that civilians who fled the town in desperation to save their lives were killed outside it in previously prepared ambushes. For example, Elman Mamedov reported that a large group of people who had left Khojaly came under heavy fire from Armenian light and heavy machine guns and armoured personnel carriers near the village of Nakhichevanik. Another resident of Khojaly, Sanubar Alekperova, said she would never forget the mountains of corpses of women, children and old people near Nakhichevanik, where they fell into an ambush: in the carnage, her mother and her two daughters, Sevinzh and Khidzhran, were killed and she herself was wounded. Faced with this mass shooting-down of unarmed people, some of the group made

for the village of Gyulably, but there the Armenians took some 200 people hostage. Among them was Dzhamil Mamedov; the Armenians tore out his nails, beat him about the legs and head and took away his grandson, and his wife and daughter vanished without trace.

"I had heard a lot about war, about the cruelty of the German Fascists, but the Armenians were worse, killing five- and six-year-old children, killing civilians", said a French journalist, Jean-Yves Junet, who visited the scene of this mass murder of women, old people, children and defenders of Khojaly. One of the French journalist's Russian colleagues, V. Belykh, a correspondent for the newspaper *Izvestia*, reported seeing bodies with their eyes gouged out or ears cut off and bodies that had been scalped or beheaded.

The head of the Armenian Defence Ministry's medical service, Khandar Gadzhiev, a man not unfamiliar, by reason of his job, with the spectacle of death and suffering, was horrified by the evidence of savage reprisals against the inhabitants of Khojaly brought before him: a man with his intestines hanging out, people with frostbite, a child whose leg had been torn off by heavy machine gun fire, a girl whose face had been slashed with a knife. Major Leonid Kravets reported that he had "personally seen about 200 bodies" and that with him had been a local policeman who, "when he saw his four-year-old son lying among the dead with his head split open, went out of his mind with grief".

The report of the Moscow-based human rights group "Memorial" on the massive violations of human rights in the taking of Khojaly says of the civilians' flight from the town: "The fugitives fell into ambushes set by the Armenians and came under fire. Some of them none the less managed to get into Agdam; others, mostly women and children (exactly how many it is impossible to say), froze to death lost in the mountains; others still, according to testimony from those who reached Agdam, were taken prisoner near the villages of Pirdzhamal and Nakhichevanik. There is evidence from inhabitants of Khojaly who have already been exchanged that some of the prisoners were shot ... Around 200 bodies were brought into Agdam in the space of four days. Scores of the corpses bore traces of profanation. Doctors on a hospital train in Agdam noted no less than four corpses that had been scalped and one that had been beheaded. Autopsies were carried out in Agdam on 181 corpses (130 male and 51 female, including 13 children): the findings were that 151 people had died from gunshot wounds, 20 from shrapnel wounds and 10 from blows inflicted with a blunt instrument ... The records of the hospital train in

Agdam, through which almost all the injured inhabitants or defenders of Khojaly passed, refer to 598 cases of wounds or frostbite (those of frostbite being in the majority) and one case of live scalping".

Individual testimony

On 18 April 1994, Binnat Akhmedov, a resident of the village of Bashlybely in the Kelbajar area, saw three Armenian soldiers gun down 10 civilians at point-blank range and wound 14 others.

On 17 August 1993, Armenian soldiers shot and killed 25 civilian inhabitants of the village of Gajar in the Fizuli area whom they had encircled.

Rafik Guliev, from the village of Gorgan in the Fizuli area, who was taken hostage by Armenian troops on 23 October 1993, testified after his release that Armenian soldiers had shot dead 30 civilians before his eyes.

When she returned from captivity by the Armenians, Arzu Amralieva reported that on 18 April 1993, 19 people were shot on the spot and 30, including some of her relatives, were taken hostage.

A 57-year-old man, Hasan Hasanov, reported that on 23 October 1993, 26 of 40 people detained in the area of Goradiz were killed.

A 61-year-old man, Budag Alyshanov, saw an Armenian by the name of Arkady brutally murder five Azerbaijanis who had been employed on heavy labour.

Vladimir Shevelev (date of birth 1926), who was taken hostage on 22 June 1994 and released, from Erevan, on 10 September 1994, said that Armenian soldiers shot and killed his mother, sister and infirm, bed-ridden brother. According to his testimony, when, after several months had passed, he was allowed to bury his relatives, their bones, parts of his sister's body and her head were found in separate places. He also reported having seen numerous corpses of women and children that had been disfigured to the point of being unrecognizable.

Inhuman treatment of hostages and prisoners of war held in occupied Azerbaijani territory

The crimes of the Armenian soldiery continued in the captured areas and outside the Nagorny Karabkh region of the Azerbaijani Republic: the victims of their mass terror included many thousands of inhabitants of the Lachin, Kelbajar, Agdam, Fizuli, Djebrail, Zangelan and Kubatly areas of Azerbaijan.

On 31 March 1993, during the occupation by the armed forces of the Republic of Armenia of the town of Kelbajar, a 29-year-old woman, Samaya Kerimova, and her 2-year-old daughter, Nurlan Kerimova, were taken

hostage. Unable to withstand the mental and physical humiliation to which she and her child were subjected, Samaya twice slit her wrists and eventually killed herself by swallowing poison. Nurlan was bought back from the Armenians for 1.5 million roubles, but, because of a head injury, the child, who spent four months in detention, is now blind.

A one-year-old boy, Babek Ilyasov, suffered severe damage to an eyelid and an eye because of the explosion of a shell, but he was given no medical assistance whatever during the time he was in captivity. He was released with the help of the International Committee of the Red Cross. Doctors believe there is no hope of saving the child's eye.

On 31 March 1993, Takhir Guliev, who was born in 1956 and lived in the village of Kilseli in the Kelbajar area, was taken hostage together with his wife, their three-year-old child and close relatives. The vehicle in which they were trying to flee their home was fired on at close range by Armenian soldiers, resulting in the deaths of Islam Guliev (date of birth 1978), Ilkhama Gulieva (date of birth 1983), Talekh Mamedov (date of birth 1985) and Aslan Mirzoev and his daughter Afetin, and in serious injuries to the other passengers, including Takhir Guliev's wife and daughter and his wife's 80-year-old mother. When, with the help of the International Committee of the Red Cross, he returned from being held prisoner by the Armenians, Mr. Guliev testified that Azerbaijani hostages and prisoners of war were subjected by their Armenian captors to savage beatings and insults and that many of them were unable to stand this and died. When he had complained about this to representatives of the International Committee of the Red Cross, he had been badly beaten in front of his wife and daughter.

Mikhail Abutalybov, a resident of the village of Bozuly in the Kelbajar area who was born in 1955, was taken hostage together with hundreds of peaceful Azerbaijani citizens on 7 May 1993. During his time in Armenian captivity, he was beaten and made to do heavy labour every day. He confirmed that the Armenians were holding thousands of women, old people and children hostage.

During the seizure by troops from the Republic of Armenia of the Azerbaijani town of Agdam, a car containing six members of the Aliev family - two women (one of them elderly), two men (one of them elderly) and two children (aged eight and three respectively) - was fired on. The elderly man and the eight-year-old child were killed outright and the other passengers were all wounded, the three-year-old boy, Shovgi Khagani ogly Aliev, in the

shoulder. When the Armenian "doctors" operated on him in Hankendi, they removed a third of the humerus and muscles above the elbow from his right arm. Thanks to the efforts of the International Committee of the Red Cross, the boy, his seriously-wounded mother and his grandmother were returned to their homeland. After a medical examination in Baku, doctors concluded that the removal of bone from this three-year-old child had been completely unnecessary and that his wound had not justified such treatment. It is not impossible that the removal was performed for the purposes of transplantation.

The seizure of seven seriously ill patients from Agdam's psychiatric hospital is a flagrant example of the Armenian soldiery's crimes. Three of them were released after being held for a year, but three others are languishing to this day in Armenian captivity. The seventh is dead as a result of constant torture.

Ofelya Gulieva, a 16-year-old girl with a bullet wound, was held hostage for more than 18 months. Because of the lack of prompt medical assistance, her wound became gangrenous. On 3 June 1994 she suffered further wounds, in the stomach and right hand, when a guard acting for the Armenians fired at her with a sub-machine gun. This led to the amputation of two of her fingers. She was not released until 28 July 1994, when she was exchanged for an Armenian prisoner of war.

Murvat Agaev, a man from the village of Khyurdmakhmudly in the Fizuli area, was taken hostage together with his son, Yashar, who was killed before his eyes. He himself was severely beaten and his ear was cut off. Later, his hands were bound with wire, he was suspended from a tree above an open fire and his feet were burned.

Tamasha Geidar gyzy Nukhieva, an 83-year-old woman from the village of Korzylly in the Fizuli area, suffered such nightmarish treatment that she died three days after she was exchanged. Her 47-year-old invalid son, Vagif Gutais ogly Nukhiev, died while a hostage from the injuries he received.

Rafik Guliev, a resident of the village of Gorgan in the Fizuli area, who was taken hostage by troops from the Republic of Armenia on 23 October 1993, testified that Armenian soldiers had shot dead 30 civilians before his eyes and that other hostages were subjected to brutal physical and mental torture, including branding of their chests, beatings with heated iron bars and stuffing of their mouths with burning coals. Children were used for heavy labour.

Shafir Yusufov, a resident of the village of Chaitumas in the Gubatly area and a class-1 disabled person, was taken hostage on 30 August 1993, during the occupation of the area by the armed forces of the Republic of Armenia. After his release on 8 December 1993, with the help of the International Committee of the Red Cross, he testified that Armenian soldiers led by a battalion commander nicknamed "Mavo" had shot dead his 90-year-old brother, whom he had not even been allowed to bury, and two women who had lived near him. Mr. Yusufov also said that, on the day he was captured, the same battalion commander had torn out his 12 gold teeth. During his detention he had been subjected to constant beatings and fed on black bread and water, and the medicines and clothing furnished by the International Committee of the Red Cross had been confiscated by Armenian soldiers. Among his fellow hostages had been a mentally disturbed man, Nazim Radzhabov; he had repeatedly been savagely beaten and tormented. On 14 September, 11 Azerbaijani soldiers were brought to the prison at Shusha, where Mr. Yusufov was held; they had been severely beaten and had had dogs set on them. One of the soldiers subsequently died from his injuries. Mr. Yusufov also saw people die of hunger and cold. He confirmed that the Armenians were holding thousands of Azerbaijani women, children and old people hostage.

The tragic list of victims of the war against the Azerbaijani people - which has experienced at first hand the monstrous methods of Armenian aggression - is far from complete with the incidents related above.

Twenty-seven-year-old Mamedov Abdulazim was injured in the left leg and taken prisoner by Armenians in the Azerbaijani village of Kirkidzhan during a regular attack by Armenian forces. He received a bullet wound which perforated the soft tissue of his left shin, and multiple shrapnel wounds. Mamedov Abdulazim reported that, after being interrogated for one hour, he and eight other soldiers in the national army who had been taken prisoner with him were beaten with rubber truncheons on their heads, backs and arms, after which an unknown medicine was injected into their necks and they were thrown into jail. From that time Mamedov Abdulazim was dragged into the yard each day and beaten all over with rubber truncheons and his head was stamped on by soldiers using the heels of their boots. On one occasion his wound was ripped open and a cross of blood was marked on his forehead. At New Year, with temperatures standing below zero, cold water was poured over him in his cell; the warders' dogs were often set on him, leaving many bites, scratches and abrasions on his body. He was given almost no food, and an unknown drug was injected

into his neck each day, causing him to lose consciousness momentarily. Mamedov Abdulazim states that he weighed 70 kilograms before being taken prisoner, and 55 kilograms after he was released.

Imprisoned together with Mamedov Abdulazim was Atakishiev Farkhad Rakhmanogly, aged 21. He was killed, and on 25 January 1992 his corpse was thrown into Mamedov Abdulazim's cell, where they had spent a few days together. The following injuries were noted in the report of the forensic examination of Atakishiev's corpse: (a) a depressed fracture of the frontal bone, a closed fracture of both bones of the forearms and the shins, a fracture of the nose, the violent removal of all incisors in both jaws, and 61 bruises to the head, the body and the extremities; (b) a stab wound which caused perforation of the stomach with injuries to internal organs, eight spot wounds (resulting from injections) to the back of the neck, and injuries to the left hand; (c) two bullet wounds which perforated the thigh. The injuries listed under "a" were inflicted by blunt instruments. The injuries to the hand and the forearm may have been caused by dog bites. The injuries listed under "b" were caused by stabbing, while those listed under "c" were caused by shots from a firearm.

Alimsha Gasanov, born in 1974, serving in the national army of Azerbaijan, a resident of Khachmaz region, was wounded and taken prisoner on 8 March 1994 in Fizuli region. After his release he testified to the inhuman treatment of prisoners of war, beatings and excessive forced labour.

Emin Babaev, born in 1968, serving in the national army of Azerbaijan, a resident of the city of Baku, who was taken prisoner on 23 August 1993 in Fizuli region, reported after his release that the car in which he had been travelling together with civilians had been shot at by Armenians in a tank. E. Babaev survived together with two other servicemen, one of whom was severely burned and later died for lack of the necessary medical assistance. E. Babaev also reports that while imprisoned in Armenian hands Azerbaijani prisoners of war were constantly subjected to beatings and excessive forced labour while often deprived even of bread and water. He confirmed that thousands of women, old people and children were held hostage by armed forces of the Republic of Armenia.

Zaur Rzaev, born in 1975, serving in the national army of Azerbaijan, a resident of the village of Alisoltanly in Saatly region, was wounded and taken prisoner on 28 April 1994, together with two other servicemen, one of whom, according to a statement made by Z. Rzaev after his release, was shot by

Armenian soldiers. Z. Rzaev reported the inhumane treatment of Azerbaijani prisoners of war, as well as constant beatings and excessive forced labour. He also stated that he saw thousands of Azerbaijani hostages being held in Armenian captivity.

Faik Mamedov, born in 1971, serving in the national army of Azerbaijan, a resident of the city of Baku, was taken prisoner on 6 September 1992. After his release he reported that, after being wounded, he was tortured and beaten. On 20 November 1993, he managed to escape from captivity. He testifies that after occupying Agdam region the Armenian forces completely burned and destroyed it. The graveyard where his parents were buried was also destroyed. While detained by the Armenians, he saw thousands of hostages and prisoners of war being held in intolerable conditions.

Famil Aliev, born in 1974, serving in the national army of Azerbaijan, a resident of the city of Baku, was taken prisoner on 3 January 1994 in Agdam region. After his release he stated that while he was in captivity Armenian soldiers stubbed out cigarettes on his body. F. Aliev also witnessed the execution of Azerbaijani prisoners of war by shooting. He confirmed that Armenians were holding thousands of women, old people and children who were subjected to excessive forced labour, torture and ill-treatment.

Amil Akhmedov, born in 1973, serving in the national army, a resident of the village of Ashigly in Beilagan region, was taken prisoner on 23 September 1993. After his release he reported that he had been beaten and tortured every day. He also testified that a resident of Fizuli region named Vagif had been beaten to death in front of him, and that Valekh Aliev, a resident of Imishly region, had blown himself up using a grenade after being unable to bear the humiliation.

Anar Mamedov, born in 1973, serving in the national army, a resident of Beilagan region, was taken prisoner on 23 September 1993 together with 10 other servicemen. After his release he stated that he had been beaten four or five times each day by Armenian soldiers while they were holding him captive. He also confirms the above-mentioned report of the death of the resident of the Fizuli region named Vagif as a result of beatings and the suicide of Valekh Aliev of Imishly region, adding that five elderly persons died from beatings.

Afin Yakhyaev, born in 1968, serving in the national army, a resident of Ujar region, reported after his release that he and three other servicemen were taken prisoner on 25 April 1994 in Agdam region and subjected to

interrogations and beatings every day. A. Yakhyaev testified that many prisoners who were unable to bear the humiliation committed suicide. He also confirms reports of thousands of Azerbaijani hostages held in Armenian torture chambers.

Magomed Dashdamirov, a resident of Tovuz region, reports that his son Novruz Dashdamirov, born in 1975, serving in the national army, was taken prisoner in August 1993 during the occupation of the Fizuli region of Azerbaijan by armed forces from the Republic of Armenia. The father states that his son N. Dashdamirov was subjected to torture and brutal beatings while in captivity. Although N. Dashdamirov succeeded in escaping from Armenian captivity, he fell sick as a result of the humiliations inflicted on him in detention and is now in a critical condition.

Rasat Akhmedov was taken prisoner by armed forces from the Republic of Armenia on 7 March 1994 during fighting near the village of Seid-Akhmedli. He and his fellow prisoners of war were beaten with spades and truncheons. He states that on 15 September 1994 prisoner of war Zeinal Makhmudov died as a result of a brutal beating. R. Akhmedov himself was released on 16 October 1994 with help from representatives of OSCE.

K. Gadzhiev, a resident of Tovuz region, states that his son, Elfag Gadzhiev, serving in the national army, was taken prisoner on 12 June 1993 during fighting with armed forces from the Republic of Armenia which were attacking the Agdam region of Azerbaijan. While held in Armenian captivity, his health was seriously undermined as a result of inhuman treatment, torture and humiliation. Following his release through the mediation of the International Committee of the Red Cross, the health of E. Gadzhiev has now seriously deteriorated. He also confirms that hundreds of Azerbaijani women, old people and children are being held hostage in intolerable conditions in the prison of the Azerbaijani town of Shusha under occupation by armed forces from the Republic of Armenia.

Detention of Azerbaijani hostages and prisoners of war on Armenian territory

The Armenian Government resorts to all kinds of tricks to conceal its aggressive intentions towards Azerbaijan from the world community.

Armenia portrays its claims on the territory of an independent State as the struggle of Armenians in Karabakh, while it does not deny that Azerbaijani prisoners of war and hostages are being held on its territory.

According to information supplied by the Azerbaijani Republic State Commission dealing with the affairs of prisoners of war, hostages and missing

citizens, and the testimony of those who have returned from Armenian captivity, Azerbaijani prisoners of war and hostages are being held on the territory of the Republic of Armenia at police headquarters in the town of Sisian, at military police headquarters No. 10724 in the City of Erevan, in police headquarters in the town of Kafan, in police headquarters in Verdenis region and in other regions of Armenia.

According to information supplied by the above-mentioned State Commission, as of 20 February this year 4,674 persons were listed as prisoners of war, hostages or missing as a result of aggression by Armenia, including 314 women, 60 children and young people and 252 old people. Of the total number of people in this category, the State Commission is aware of the place of detention of 752 persons, including 39 women, 12 children and 39 old people, on the territory of the Republic of Armenia and occupied Azerbaijani territory.

Violence and torture perpetrated against civilians held on the territory of Armenia

There is a large quantity of information regarding inhuman treatment and violence against the defenceless victims of the war among the civilian population, bearing witness to the Republic of Armenia's open flouting of the norms of international humanitarian law. The inflicting of physical suffering, murder, torture, corporal punishment, mutilation, medical and scientific experiments which are not based on the need for medical care, and other gross violence against detained Azerbaijanis by the representatives of the civil and military authorities in Armenia violates the requirements not only of the well-known Geneva Conventions but also of elementary human morality.

Veliev Kamil, born in 1936, a resident of the village of Bakharly in Zangelan region, who was released on 14 November 1993 following mediation by the International Committee of the Red Cross, was taken hostage in August 1993 when Armenian forces occupied the Zangelan region of Azerbaijan, and detained on Armenian territory, where he was subjected to systematic torture, as a result of which his hearing was damaged.

In August 1993, when the Gubatly region of Azerbaijan was seized by armed forces from the Republic of Armenia, Yusifov Farkhad, born in 1930, a resident of the village of Garakishilyar in that region, was taken hostage. He has suffered from diabetes since 1973. He was held captive by Armenians, without the minimum assistance needed to treat his illness, in jail in the town of

Goris (Armenia), and was later transferred to a jail in the town of Kafan (Armenia). He was released on 14 November 1993 thanks to the efforts of the International Committee of the Red Cross and returned to Azerbaijan from the city of Erevan (Armenia).

One of the peaceful inhabitants taken hostage at the time the Gubadly district of Azerbaijan was occupied by Armenian soldiers in August 1993 and returned to Azerbaijan from Erevan with ICRC assistance on 14 November 1993 was 60-year-old Islam Gadzhiev, who according to F. Yusifov, with whom he shared the hardships of life as a hostage, was tortured mercilessly by the Armenians. He was forced to lick the filthy floor, stand at attention for hours on end and his head was beaten against the wall to such an extent that he went out of his mind. The grey-haired man was thrown to the floor and kicked in the belly until he lost consciousness whereupon damage was inflicted to his kidneys.

Khamza Guliev, born in 1913 and a resident of the village of Milanly in Gubadly district, was taken hostage on 30 August 1993 during the occupation of the district by the armed forces of the Republic of Armenia and was released from captivity on 18 October 1993. He had been held in occupied Azerbaijani territory and then transferred to the town of Kafan in the Republic of Armenia. He testifies to inhuman treatment, torture and humiliation of hostages, and assaults on women.

The 15-year-old Nazaket Mamedova, an inhabitant of the Azerbaijani town of Shusha, who was taken hostage together with her father on 8 May 1993 at the time the town was occupied by Armenian soldiers, experienced indescribable suffering as a prisoner of the Armenians. They were held first in the town of Hankendi and then in Armenia. Over a long period of time the father was demeaned and humiliated in various ways before the very eyes of his daughter. He was beaten, insulted, his ear was cut off and red-hot irons were applied to his body, making him an invalid for life. Only then was he released. However, his daughter was retained as hostage until 4 April 1993, the endless round of blackmail and threats driving the girl's mother insane; eventually the daughter was returned to her family after a ransom of 4 million roubles had been paid.

<u>Illegal acts perpetrated against prisoners of war in Armenian territory</u> .

Prisoners of war, as well as hostages, fall into the category of persons protected by international humanitarian law, which stipulates that no reprisals may be taken against them and that their safety must be properly

ensured, to say nothing of the fact that refined forms of violence are prohibited. How far the Republic of Armenia complies with these provisions is evident from the large number of flagrant examples of inhuman treatment of Azerbaijani prisoners of war reflecting cruelty that is beyond human understanding. Rare are those who survive, and those who return are forever crippled.

One of the few prisoners of war who survived and returned home was Mail Mamedov, born in 1971 and called up to serve in the national army of the Azerbaijani Republic from the village of Khalikly in the Geokchai district of Azerbaijan. Taken prisoner on 4 October 1992 near the town of Hankendi, he was held first in Karabakh and then transferred to Armenia. According to a short extract from his medical history, he was systematically humiliated and beaten with a hammer and a machine gun, as a result of which the bones in his left foot as well as those in his left forearm and shoulder were broken. On 7 October 1992 a red-hot metal cross was applied to his chest. In February 1993 some kind of liquid that produced symptoms of allergy was forcibly injected intravenously. He was released on 9 May 1993 in exchange for an Armenian prisoner.

Ayaz Guseinov, born in 1973 and a native of the Surakhan district of Baku, was also tortured; he had been a soldier in the national army, was taken prisoner on 1 April 1993 in the Kelbajar district of Azerbaijan and held first in Karabakh and later in a camp near the town of Kirovakan (Armenia). His relatives paid his ransom of 7 million roubles on 3 September 1993.

Most Azerbaijani prisoners of war die violent deaths or as a result of the unbearable conditions that are deliberately created in prison.

Magerram Makhyaddinov, who was born in 1972 and who, prior to being called up to serve in the national army, had lived in the town of Gakh in the Azerbaijani Republic, was taken prisoner in Zangelan district and held in Armenian territory, where each day he was beaten by Lieutenant-Colonel Gazmanov, the deputy chief of the police department of the town of Kafan; he was driven insane by the beatings and later died of massive internal haemorrhaging.

Following his release in October 1993, Bayram Aliev, born in 1973 and a soldier in the national army from Evlakh district, reported that when taken prisoner in December 1992 during the occupation of the Zangelan district of Azerbaijan by the armed forces of the Republic of Armenia, he had first been held, together with his fellow servicemen, in the police department of the

town of Kafan in the Republic of Armenia and had later been moved to Erevan, the Armenian capital. He confirms that Azerbaijani prisoners of war were tortured and humiliated, forced to eat dirt, brutally beaten, had open wounds poked with lighted cigarettes and were deprived of their human dignity. Essential medical care was not given to the wounded. Many prisoners died from the ill-treatment. According to Bayram Aliev, Mageram Makhyatdinov was beaten to death for complaining to ICRC representatives about the intolerable conditions and inhuman treatment of prisoners of war. Aliev also confirms that hundreds of Azerbaijani citizens are being held hostage in Armenia and subjected to violent and degrading treatment.

Ilgar Gamzaev, born in 1973, was also killed in Armenia. A soldier in the national army, he had been taken hostage by the Balasanyan family, which tried to exchange him for R. Balasanyan, who had been reported missing in action in Azerbaijani territory.

Ilkham Nasirov was taken prisoner after being wounded in three places. Born in 1973, he had lived in Baku prior to his service in the national army; he was first held in the town in Hankendi and later transferred to Erevan, where he was placed with the Arakelyan family, which wished to exchange him for their son Shagen, reported missing in action in Azerbaijani territory. According to F. Yusifov who returned home after his imprisonment, Nasirov was reduced to dystrophy by his "host" and admitted to Hospital No. 10 of the Ministry of National Security of the Republic of Armenia. According to letter No. 06/134 of 24 November 1993 from S. Arakelyan, the director of the hospital, which was received through ICRC, Nasirov died on 23 November 1993 in Erevan's military hospital (No. 88865), the diagnosis being alimentary dystrophy and acute cachexia.

In August 1993, Armenian policemen drove Vikil ogly Zakir in a car to the outskirts of the village of Kirovka in the Marneuli district of Georgia and dumped him there. He died shortly afterwards, without regaining consciousness, in the district hospital of the town of Gazakh in the Azerbaijani Republic. An examination revealed that his death was due to starvation and the injuries he had suffered. Doctors found that his entire body was covered with cigarette burns and bruises, that the nails of his right hand and left foot had been torn out and that internal organs had been damaged.

In May 1994 a prisoner of war named Tofik, a native of Lerik district, was tortured to death and Rasim Mamedov lost his reason as a result of the

beatings to which he was subjected in a remand centre of the Armenian Ministry of National Security. After being held by Armenia's military police, Famil Rzakhanov was released in an extremely serious condition.

On 16 February 1994, the press service of the Ministry of Foreign Affairs of the Republic of Armenia announced that Azerbaijani prisoners of war had been shot, emphasizing that "they were killed while attempting to escape". What is particularly striking about this wording, quite apart from the fact that it does not correspond to the truth, is its almost cynical frankness since, according to generally accepted humanitarian norms, any action in such circumstances should have been limited to disciplinary penalties, even if the prisoners of war were recidivists.

Thanks to ICRC efforts, arrangements were made on 23 March 1994 to transport from Armenia to Azerbaijan the bodies of 10 Azerbaijani prisoners, of whom 2 died on 28 June 1993 and 23 November 1993, respectively, and 8 were killed on 29 January 1994. The results of a forensic examination carried out by a commission of Azerbaijan's Ministry of Public Health attached to the Scientific Association for Forensic Expertise and Pathological Anatomy completely refuted the statement by the Armenian Ministry of Foreign Affairs concerning the killing of the 10 Azerbaijani prisoners of war while attempting to escape and confirmed that R.R. Agaev, E.G. Akhmedov, E.S. Mamedov, F.G. Kuliev and E.M. Akhmedov were brutally tortured and beaten before death and killed by a shot in the head, and that B.A. Giasov was shot from the front at point-blank range. R.R. Agaev, E.S. Mamedov and E.M. Akhmedov had had their ears cut off. R.R. Araev's internal organs - his heart, liver and spleen - were missing, indicating that they had been used as transplants. An examination of I.S. Nasirov's body revealed unmistakeable signs of cachexia, indicating prolonged starvation. F.G. Guseinov's body bore a large number of external marks indicating physical torture.

The forensic conclusions of the Azerbaijani experts were confirmed in the course of a second examination of the bodies carried out by the Scottish Professor Derek Pounder, an eminent scientist, member of the American Medical Association, of the Praesidium of the International Academy of Legal Medicine and of Social Medicine and of the British "Doctors for Human Rights" Association.

From time to time, in order to give a semblance of legality to the punishments imposed on Azerbaijani prisoners of war, Armenia holds show trials behind a propaganda screen poorly concealing the absurdity of a situation in

which the defendants - not provided with qualified counsel, contrary to international standards - are in point of fact accused of honestly performing their duty to defend the sovereignty and territorial integrity of their State. At one such mock trial in Erevan, for example, 2 Azerbaijani prisoners of war were sentenced to death, 3 to 15 years' imprisonment and another 3 to 12 years' imprisonment. This is how Armenia's overtly militarized governmental machinery, in the guise of the "votaries of Themis", deals with the victims of war.